

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
CHATTANOOGA DIVISION

EVA JO JOHNSON,)
)
Plaintiff,) 1:21-CV-00241-DCLC
)
vs.)
)
US DEPARTMENT OF HOMELAND)
SECURITY, TRANSPORTATION)
SECURITY ADMINISTRATION,)

Defendants

ORDER

On October 6, 2021, Plaintiff EVA JOHNSON filed a Complaint [Doc. 1] along with a Motion to proceed *in forma pauperis* (“IFP motion”) [Doc. 2]. Magistrate Judge Lee noted several deficiencies in Plaintiff’s IFP motion and ordered Plaintiff to either pay the filing fee or submit a new application addressing the deficiencies [Doc. 7]. On October 27, 2021, Plaintiff filed an Amended IFP Motion which provided more details regarding her financial status [Doc. 8]. Upon receiving the Amended IFP Motion, Magistrate Judge Lee recommended that Plaintiff’s IFP Motion be denied as she had sufficient assets to pay the filing fee and that her Complaint be dismissed without prejudice subject to being refiled with the proper filing fee [Doc. 9]. Plaintiff filed an objection to the Report and Recommendation [Doc. 10] which is now presently before the Court.

In Plaintiff’s objection, Plaintiff asks the Court to “review my case about the discriminatory issue. My C-pap machine was placed on a germy belt at the Chattanooga Airport after security

[inspection] and not returned to the container.” She reiterates that she cannot pay the filing fee “because of my lack of employment.” [Doc. 10, pg. 1]. As Magistrate Judge Lee noted, her IFP Motion does not show she is unable to pay the \$402 filing fee. She indicates she has \$4,000 in her checking and \$12,000 in her savings account. Because Magistrate Judge Lee appropriately analyzed the IFP Motion and correctly concluded that Plaintiff has now shown she qualifies to proceed *in forma pauperis*, the Court ADOPTS the R&R denying Plaintiff’s IFP Motion. However, the Court will permit Plaintiff 14 days from the date of this Order to pay the filing fee with the Clerk’s office. **Failure to pay the filing fee within the time allowed will result in the case being dismissed without prejudice for failure to prosecute.**

SO ORDERED:

s/Clifton L. Corker
United States District Judge